

# Labor Standards, Health & Safety

---

## Mission

To promote the welfare of Indiana's workforce by administering a variety of educational and compliance programs designed to provide the knowledge and tools necessary to guarantee all workers safe, healthful, positive work environments, and the appropriate compensation for that work.

## Summary of Activities

The **Department of Labor (DOL)**, **Civil Rights Commission (CRC)**, and the **Worker's Compensation Board** share responsibility for labor standards, health, and safety. DOL activities include:

- The Bureau of Safety Education and Training (BuSET) works with Indiana's employers, employees, labor, trade organizations, and other entities to ensure workplace safety and health through proactive education and outreach.
- The Indiana Occupational Safety and Health Administration (IOSHA) is responsible for compliance with Indiana's occupational safety and health regulations, and also conducts safety and health discrimination investigations. IOSHA is divided into three branches: industrial hygiene, industrial safety, and construction safety.
- The DOL Wage and Hour Division is authorized to promote the arbitration, mediation and conciliation of wage disputes between employers and employees. This division is responsible for enforcing Indiana's minimum wage law, wage payment statutes, and age discrimination law. The Bureau of Child Labor administers and enforces Indiana's child labor laws, which apply to gainfully employed minors aged 14-18. The Bureau of Mines ensures compliance with Indiana's mine safety provisions and maintains Indiana's only mine rescue station.



The Civil Rights Commission's enforcement activities include the investigation of civil rights complaints, the provision of an administrative forum for the adjudication of the allegations of unlawful discrimination, and once probable cause has been found, the prosecution of alleged violations of civil rights laws before administrative and judicial tribunals.

The Worker's Compensation Board provides dispute resolution services to injured workers, Indiana businesses, and their insurance companies and collects and maintains data on workplace injuries in Indiana.

## External Factors

The most significant factors affecting Labor Standards are the economic and demographic changes occurring in Indiana's workplace. Indiana is anticipating an increase in both youthful and inexperienced workers and workers of advanced age. These are both groups with historically greater incidence of workplace injury. Moreover, as Indiana pulls itself out of the national recession, it anticipates fluctuating levels of experience in its workforce. As some traditional industries experience downturns, displaced workers must learn new skills and enter new professions. Indiana is also experiencing an influx of "hard to reach" employees. In this category are a growing percentage of workers whose primary language is other than English. These "hard to reach" workers and employers include those who are unaccustomed to seeking governmental assistance, temporary workers, and small business owners. These workplace trends require the State of Indiana to reach new and unique audiences in innovative ways.

IOSHA and BuSET have been approved as state plan organizations by the federal Occupational Safety and Health Administration (OSHA). As such, by law they must respond to legal and policy changes made at the federal level.

## Evaluation and Accomplishments

The Civil Rights Commission closed 884 cases in calendar year 2002. In that same period, it received 642 new discrimination complaints. Through the first half of calendar year 2003, the CRC has closed 822 cases while receiving 209 new discrimination complaints through that same period. The CRC has increased its public education and outreach programs in an effort to reduce discrimination and segregation in the areas of housing, employment, public accommodations, and the provision of credit. These efforts include a targeted advertising campaign to make people aware of their civil rights. The campaign includes Spanish language materials.

The Department of Labor's IOSHA division continues targeting employers, industries, and work-processes with high injury and illness incidence rates for concentration of its resources. This includes local emphasis programs for falls and scaffolds in the construction industry and a new focus on various industries with the highest injury and illness rates. IOSHA also provides proactive education coupled with enforcement for these employers along with a more detailed analysis of illnesses in these places of employment.

BuSET's Voluntary Protection Program (VPP) is designed to recognize and promote exemplary safety and health management programs where management, labor, and the DOL establish a cooperative relationship. Star status is the highest level attainable under the program and eighteen Indiana workplaces have now attained that status. BuSET has also created the Indiana Safety and Health Recognition Program (IN SHARP) which is designed to recognize smaller employers with an exemplary safety and health management system. The first Indiana employer, the City of Jasper, has been certified as an IN SHARP site and others are in the evaluation period. In conjunction with the Hoosier Safety Council, BUSET has awarded the fourth annual Governor's Workplace Safety Awards. This award recognizes individuals and organizations which have implemented innovative work-processes, equipment, education, outreach or partnerships which contribute to the workplace safety and health.

## Plans for the Biennium

IOSHA and BuSET will continue their focus on high-hazard workplaces, combining effective outreach and education with fair enforcement of workplace safety and health requirements. They will re-examine their efforts in these areas at least annually to improve their efficiency and effectiveness in helping Indiana employers and employees experience the many benefits of workplace safety and health.

